



Town of Harpswell
Planning Board Minutes
June 15, 2016
Adopted September 21, 2016

Members Present

David I. Chipman, Chair
Paul Standridge, Vice Chair
Aaron Fuchs
Burr Taylor
Allan LeGrow, Associate Member

Members Absent

John Papacosma

Staff Present

Mark Eyerman, Planner
Diane Plourde, Recording Secretary

The Town of Harpswell Planning Board meeting was called to order at 6:30 p.m. by David Chipman, Chair. The Pledge of Allegiance was recited.

The Chair appointed Allan LeGrow a full voting member for this meeting.

New Business – 16-06-01 – Map 38 Lot 70 – Gary Vincent (Applicant) Gun Point Properties LLC (Owners) 251 Gun Point Road, Harpswell – Consideration of the Board's exercising jurisdiction for the review of the application to reconstruct a nonconforming structure.

16-06-01 – Map 38 Lot 70 – Gary Vincent (Applicant) Gun Point Properties LLC (Owners) 251 Gun Point Road, Harpswell – Jurisdictional – Tear Down/Rebuild of nonconforming structure.

Gary Vincent told the Board that he proposes to tear down the nonconforming building and reconstruct another totally conforming building.

Burr Taylor moved seconded by Paul Standridge to remand this application to the Code Enforcement Office.

Discussion: Aaron Fuchs asked Mr. Vincent about the placement of the new structure. Mr. Vincent told the Board that after the site visit to the property, the changes made to the placement of the structure became more conforming. Mr. Eyerman told the Board that the CEO has been involved in the changes.

Jack Dostie abutter, told the Board that after seeing the new revised placement of the dwelling, he has no issues with this application.

Mr. Vincent assured the Board that the erosion control will be as previously stated on the plans submitted with this application.

Motion carries 5-0.

16-06-02 – Map 53 Lot 63 – Scott Moody (Applicant/Owner) – Wallace Shore Road, Harpswell Site Plan Review – Expansion of Existing Commercial Pier for Shellfish Storage.

Scott Moody told the Board that he wishes to withdraw his application for expansion of the wharf system at this time.

16-06-03 – Map 43 Lot 77-1 – Ramsey & Maureen Wilcox (Applicants) Roger & Nancy Tuit (Owners) – 0 Fir Way, Harpswell – Approval of Land Use in the Resource Protection Zone

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Ramsey & Maureen Wilcox told the Board of their wishes to purchase the land on Fir Way. Ms. Wilcox noted that on plot plan there is a stream to the west and Resources Protection zoning to the east of the building envelope. During the site visit Mr. Albert Frick, site evaluator, indicated that shifting the dwelling just over the 250 foot RP line will provide better drainage for the soil, provide land on higher elevation, lessen the pressure on the stream and overall lessen the impact on the environment.

Mr. Eyerman told the Board that the Ordinance indicated that building within the Resource Protection zone is not permitted. Within Section 13.1.1 that allows the Planning Board to allow one single family home within the RP zone if certain conditions are met. In the review, the second provision that the Board is required to find states that the lot which the structure is proposed must be undeveloped and was established and recorded within the Cumberland County Registry of Deeds before adoption of the RP district. Mr. Eyerman and the Town Assessor researched and found that the original lots 70 & 71 was once a one 6+ acres lot in a subdivision approved in 1988. The 250 foot RP line was shown on that subdivision plan. There was subsequently another split of the land creating the lot 77 & lot 77-1 and the RP district existed that time.

The Wilcox's explained the reasons for placement of their proposed structure is as Mr. Frick indicated that the best soils and the distance from the stream would make for a better footprint. There are no other undeveloped land on that side of the wetland.

MaryAnn Nahf, representing the Conservation Commission asked the Board about the stream and wetland and is it adjacent to Henry's Creek Stream? Is it a regulated stream? The Planner said it is not a Shoreland designated stream.

After discussion:

Burr Taylor moved seconded by Aaron Fuchs to table this application so the staff can go to legal counsel and perhaps the applicants can look at a variance through the Board of Appeals. Motion carries 5-0.

Other Business: Burr Taylor asked the Board that when the Board meets at the Town Office for the site visits, that they park in the back of the building.

Planers Update: The Planner asked the Board if they feel the site visits can be moved to earlier in the week. The issue is that not all of the Board members are at the site visits and sometimes the paperwork is not picked up days before the visit. Right now, it will be left on Friday.

Consideration of minutes: May 18, 2016

Aaron Fuchs moved seconded by Paul Standridge to approve the minutes of May 18, 2016 as presented. Motion carries 5-0.

Announcement: The Planner told the Board that the Town has been approached by Revision Energy to consider placing solar panels on the Mitchell Field. The Board of Selectmen scheduled a workshop on Monday July 27, 2016 at 4:30p.m. The Energy Committee and the Mitchell Field

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Committee were invited as well as the public. This is a proposal to provide electricity for Town facilities to generate, sell and receive tax credits.

Adjournment: Meeting adjourned at 7:35 PM

Respectfully submitted by:

Diane E. Plourde
Recording Secretary